

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket No. 06-36**

Annual 64.2009(e) CPNI Certification for 2009

Names of Companies covered by this certification:

Broadvox-CLEC, LLC (Form 499 Filer ID 827640)

Name of Signatory: Jeff Slater

Title of Signatory: President, Broadvox-CLEC, LLC;


Date: February 9, 2010

I, Jeff Slater, certify that I am an officer of Broadvox-CLEC, LLC, and acting as an agent on behalf of Broadvox-CLEC, that I have personal knowledge that it has operating procedures and policies in place that are designed to ensure compliance with the Federal Communication Commission's ("Commission") CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how each company's procedures are designed to maintain compliance with the Commission's CPNI rules. The attached statement applies to all three companies.

Broadvox-CLEC did not take any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission) against data brokers during the 2009 calendar year. Broadvox-CLEC did not receive any complaints during 2009 concerning the unauthorized release of CPNI.

Broadvox-CLEC has taken measures to protect against attempts to gain unauthorized access to CPNI. The companies have not discovered any information about the processes that pretexters are using to attempt to gain access to CPNI other than the information that already is contained publicly in this docket. As mentioned in Attachment A, Broadvox-CLEC has implemented CPNI safeguards, including, without limitation, maintaining customer verification processes, and applying role-based authorization (limiting employees with access to data on a need-to-know basis).

Signature: 

February 9, 2009

## **ATTACHMENT A**

### **BROADVOX-CLEC**

#### **STATEMENT OF CPNI OPERATING PROCEDURES**

Broadvox-CLEC, LLC (Broadvox-CLEC) has established policies and procedures that are designed to ensure that it is in compliance with the Federal Communications Commission's ("Commission") rules regarding the use, disclosure, and access to CPNI. Broadvox-CLEC provides this statement pursuant to Section 64.0009(e) of the Commission rules, 47 C.F.R. § 64.0009(e), to summarize those procedures and policies. As part of these processes and procedures, Broadvox-CLEC has appointed a compliance officer, responsible for overseeing the company's compliance with the FCC's CPNI rules.

#### **PERMISSIBLE USES OF CPNI**

Broadvox-CLEC is committed to protecting its customers' privacy, and it limits its employees access to and use of CPNI. Broadvox-CLEC may use CPNI for the following purposes: (1) to initiate, provide, and bill and collect for the telecommunications services from which such information is derived; (2) to provide the services necessary to, or used in, the provision of the VoIP services that Broadvox-CLEC provides, including in the publishing of directories; (3) to market services to our customers within the category of service to which the customer subscribes; and (4) to protect our rights and property, or to protect our customers and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, our services. We also may use CPNI to provide any inbound telemarketing, referral, or administrative services to the customer for the duration of the call, if the customer initiated the call and approves of the use of such information to provide services.

Broadvox-CLEC has implemented protections to protect against unauthorized disclosure or access to CPNI in the limited instances where it is required to share or disclose CPNI with third parties, such as for billing and collection.

#### **USE OF CPNI FOR MARKETING PURPOSES**

Broadvox-CLEC does not use CPNI to market products and services to customers. Therefore, it is not subject to the customer notice requirements. If Broadvox-CLEC subsequently seeks to use CPNI to market products and services for such purposes, then it will provide advance customer notification and seek appropriate approval from its customers before doing so. Broadvox-CLEC does not share CPNI with joint venture partners or independent contractors for marketing purposes.

#### **EMPLOYEE TRAINING/DISCIPLINARY PROCESS:**

Broadvox-CLEC trains its personnel as to what information is classified as CPNI and as to when they are and are not authorized to use CPNI. Broadvox-CLEC has an express disciplinary process for the misuse of CPNI, which includes the potential for termination.



## **SAFEGUARDS**

Employees must follow specific procedures to authenticate its customers. Broadvox-CLEC authenticates all in-coming calls. Broadvox-CLEC also has implemented password protection for online account access. All online accounts are password protected, and Broadvox-CLEC establishes those passwords without the use of readily available biographical information or account information. Broadvox-CLEC also has implemented procedures to address lost or stolen passwords (such as challenge questions) that do not rely on the use of readily available biographical or account information. Broadvox-CLEC does not have any retail locations.

All Broadvox-CLEC employees are prohibited from disclosing call detail information during an in-bound call. Employees only are permitted to disclose call detail information to the email address of record. Broadvox-CLEC has procedures in place to ensure that the email address has been in place for at least thirty days. Broadvox-CLEC also limits internal disclosure of CPNI to those employees with a need-to-know.

Broadvox-CLEC has implemented network security measures, including, but not limited to, the use of encryption. Under Broadvox-CLEC's compliance program, employees are required to ensure that customer data is protected from pretexting and other unauthorized access. Broadvox-CLEC employees are required to notify the Compliance Officer of any suspected attempts to gain access to a customer's CPNI whether through pretexting or otherwise.

Broadvox-CLEC has implemented procedures for notifying customers of certain account changes, including, changes in online passwords, changes to online accounts, changes to a back-up means of authentication, and changes to the address of record.

Broadvox-CLEC has procedures in place for responding to requests for information from law enforcement personnel or from any person other than the customer.

## **DATA SECURITY BREACHES**

Broadvox-CLEC will notify the United States Secret Service and the Federal Bureau of Investigation through the FCC's specifically designated portal ([www.fcc.gov/eb/cpni](http://www.fcc.gov/eb/cpni)) within seven days of the reasonable discovery of a data breach. In accordance with the FCC's rules, Broadvox-CLEC will notify affected customers of the breach, unless requested to withhold disclosure by the USSS or the FBI. Broadvox-CLEC's Compliance Officer will maintain a record in accordance with section 64.2011(d) of any breaches discovered, notifications made to law enforcement, and notifications made to customers for at least two years.

## **CUSTOMER COMPLAINTS**

Broadvox-CLEC tracks customer complaints it receives concerning the unauthorized use, disclosure, or access to CPNI. If we receive complaints regarding CPNI, we will break them down by category, and provide a summary of the complaints in the annual certification that we provide to the Commission.

### **NOTIFICATION OF ACCOUNT CHANGES**

Broadvox-CLEC notifies its customers immediately, via email, of certain account changes including any changes in the customer's online password, a change in the customer's address of record, a change in the customer's online account, and a change of the back-up means of authentication for lost or stolen passwords.